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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF TRANSMISSION

I certify that I am transmitting this document and the other documents referred to therein as attached by telephone facsimile to the Commissioner for Patents at telephone number (703) 305-7687, on October 12, 2003.

J. Michael Neary

10/12/03
Date

Inventor:

Gabrys and Simmons

Serial No.:

09/630,157

Filed:

July 31, 2000

Title:

"Flywheel Hub-to-Rim Coupling"

)
) Group Art Unit: 3682
)
) Examiner: Chong H. Kim
)
)

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OCT 14 2003

October 12, 2003

Request to Withdraw Notice of Abandonment

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir;

Applicants respectfully request that the Notice of Abandonment dated Sept. 24, 2003 in the above identified application be withdrawn and that the Examiner proceed with addressing Applicants' Brief on Appeal filed on January 7, 2003.

In a Final Office Action dated June 7, 2002, all pending claims 1-8 and 10-20 were rejected under 35 USC 112 for insufficient disclosure. Applicants Filed a Notice of Appeal on November 7, 2002 and an Appeal Brief on January 7, 2003.

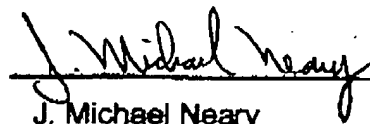
On February 25, the Examiner issued an 3rd Advisory Action refusing to consider or enter "the affidavit or amendment". Evidently, this 3rd Advisory Action was pursuant to a Decision on Petition dated 1/27/03. Finally, on March 7, 2003, the Examiner issued a 4th Advisory Action refusing to enter an Amendment. Applicant believes that this 4th Advisory Action pertains to the Amendment filed with the Appeal Brief, but it is hard to relate each Advisory Action to a particular paper of Applicants because there is no reference in the Advisory Action to a filing date of the paper it is advising about.

A Notice of Abandonment dated Sept. 24, 2003, was issued, holding the application abandoned for failure to respond to "the Office letter mailed on 02 March 2003." Applicants have not received anything in this application with that date. The closest correspondence from the PTO to that date is the 4th Advisory Action dated March 7, 2003. There is nothing else listed in the File Contents History in PAIR (which Applicants' attorney just recently was able to access), so Applicants assume that the "02 March 2003", date of the "Office letter" is merely a typo and the Advisory Action of March 7, 2003, is what was intended. As far as Applicants can determine, no response to the Advisory Action of March 7, 2003 was required, and Applicants were waiting after that date for the Examiner to act on Applicants' Appeal Brief.

The PTO's PAIR system describes both item numbers 23 and 32 on the File Contents History as "Notice of Appeal Filed". The second item, received by the PTO on Jan 13, 2003, was actually the Appeal Brief that Applicants filed in triplicate on Jan 7, 2003. Since the PAIR system has a record of something being filed on that date (even though it is incorrectly described in PAIR as another Notice of Appeal), the Appeal Brief filed 1/7/03 can probably be found in the file.

Applicants respectfully request that they be informed what the PTO decision on this request is, whether positive or negative, so that Applicants can respond appropriately.

Respectfully submitted,



J. Michael Neary
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